

Express Mail Label No. EV 326 988 165 US

Attorney Docket No. 59150-8030

**10/521622**  
PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Hagio &amp; Tabei

APPLICATION No.: Not yet Assigned

FILED: Concurrently Herewith

FOR: ELECTROPORATION METHOD INCLUDING  
THE USE OF  
DEPRESSURIZATION/PRESSURIZATION

EXAMINER: Unassigned

ART UNIT: Unassigned

CONF. NO: Unassigned

**Information Disclosure Statement Within Three Months of  
Application Filing or Before First Action – 37 C.F.R. § 1.97(b)**

Mail Stop PCT  
 Attn: DO/EO/US  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 C.F.R. § 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

Copies of the following references are enclosed:

All cited references, except U.S. Patents and Published Applications

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior

art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

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4. Fee Payment

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action.

However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,

Date: Jan. 14, 2005

  
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Jacqueline F. Mahoney  
Registration No. 48,390

Correspondence Address:

Customer No. 22918  
Perkins Coie LLP  
P.O. Box 2168  
Menlo Park, California 94026  
(650) 838-4300

COMPLETE IF KNOWN

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

 Form PTO-1449 (Modified)  
 (Use several sheets if necessary)
Application Number **Not yet Assigned**Confirmation Number **Unassigned**Filing Date **Concurrently Herewith**First Named Inventor **Hagio & Tabei**Group Art Unit **Unassigned**Examiner Name **Unassigned****10/521 622**
 Sheet **1** of **1** Attorney Docket No. **59150-8030**
**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NUMBER	Kind Code (if known)			
		5,422,272		Papp & Biondo Jr.	06/06/95	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				
		PCT	WO 00/63407		Dodgson & Corless	10/26/00		
		PCT	WO 01/05994	A2	Rickwood	01/25/01		

**OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
		D'Halluin, et al., <i>The Plant Cell</i> , 4:1495-1505, (1992).	
		Rakoczy-Trojanowska, M., <i>Cellular &amp; Molecular Biology Letters</i> , 7:849-858, (2002).	
		Rhodes, C.A., et al., <i>Science</i> 240:204-207, (1988).	
		Sorokin, A.P., <i>Plant Science</i> 156:227-233, (2000).	
		Walden, R. and Wingender, R., <i>Tibtech</i> 13:324-331, (1995).	

EXAMINER	DATE CONSIDERED
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 \*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).